



U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

1651/8

**TRANSMITTAL LETTER**

Docket Number  
85940/18

Application Number  
10/035,476

Filing Date  
October 25, 2001

Examiner  
D. Naff

Art Unit  
1651

Invention Title  
PROCESS FOR THE SIMULTANEOUS  
PRODUCTION OF XYLITOL AND ETHANOL

Inventor(s)  
EROMA et al.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Assistant Commissioner for Patents, 2900 Crystal Drive, Arlington,  
VA 22202-3513 on August 16, 2004

Signature: Elizabeth M. Wieckowski  
Elizabeth M. Wieckowski (Reg. No. 42,226)

Transmitted herewith is a Response to the June 18, 2004 Restriction Requirement for filing in  
the above-identified application.

1. Applicants respectfully request a one-month extension of time to respond to the Office Action dated June 18, 2004, for which a one month response period, expiring July 18, 2004 was set. The extended period expires on August 18, 2004. The Commissioner is here authorized to charge the \$110.00 fee for the one month extension of time to Deposit Account No. 11-0600.
2. A copy of this transmittal is enclosed.

Dated: August 16, 2004

By: Elizabeth M. Wieckowski  
Elizabeth M. Wieckowski (Reg. No. 42,226)

KENYON & KENYON  
One Broadway  
New York, N.Y. 10004  
(212) 425-7200 (telephone)  
(212) 425-5288 (facsimile)

PATENT  
85940/18



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Olli-Pekka EROMA et al.  
Serial No. : 10/035,476  
Filed : October 25, 2001  
For: : PROCESS FOR THE SIMULTANEOUS PRODUCTION OF  
XYLITOL AND ETHANOL  
Examiner : D. Naff  
Art Unit : 1651

Commissioner for Patents  
P.O. Box 1450  
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Elizabeth M. Wieckowski (Reg. No. 42,226)

08/18/2004 YPOLITE1 00000065 110600 10035476  
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RESPONSE TO JUNE 18, 2004 RESTRICTION REQUIREMENT

SIR:

In response to the Office Action dated June 18, 2004 setting forth a restriction requirement with a one-month period for response, Applicants elect, with traverse, the subject matter of Group III Claims 52-79, directed to a method of processing lignocellulose-containing material, classified in class 435, subclass 162. This election is made without prejudice to the filing of divisional application(s) directed to the non-elected invention.

Applicants are concurrently submitting a petition for a one-month extension of time in which to respond to the Office Action mailed June 18, 2004, for which a one-month period expiring on July 18, 2004 was set. The one-month extended period expires on August 18, 2004. Accordingly, this response is being timely filed.

This election is made with traverse because even though the claims of Groups I, II and III may be considered by the Examiner as patentably distinct from one another, it is believed that the

claims are sufficiently related to be properly presented in a single application. The claims Groups I, II and III are all directed to methods of processing lignocellulose containing material to produce ethanol and xylitol and further, all of the methods include an initial hydrolysis, e.g., the processing step of claim 1 comprises hydrolysis or partial hydrolysis of the lignocellulose material, claim 27 also includes an initial hydrolysis of said material, and claim 52 begins with partial hydrolysis of the lignocellulose containing material. Further, the claims of all of the Examiner's Groups comprise the main process steps as shown in the flow chart of Figure 2, i.e. fermentation, distillation of ethanol and chromatography separation and crystallization of xylitol. Given the commonality of the subject matter, examination of all the claims does not place a serious search burden upon the Examiner. In fact, the claims of Groups I, II and III have already been classified in the same class, 435.

Prompt consideration and allowance of the pending claims is respectfully requested. If there are any issues outstanding after consideration of this election, the Examiner is invited to contact the undersigned to expedite prosecution of this case.

Respectfully submitted,

Dated: August 16, 2004

Elizabeth M. Wieckowski  
Elizabeth M. Wieckowski  
Reg. No. 42,226

KENYON & KENYON  
One Broadway  
New York, New York 10004  
(212) 425-7000 (telephone)  
(212) 425-5288 (facsimile)